

STATE OF INDIANA)
) SS:
COUNTY OF ELKHART)

IN THE ELKHART CIRCUIT COURT
CAUSE NO. 20C01-0110-CP-00573

STATE OF INDIANA,)
)
 Plaintiff,)
)
 v.)
)
MIKE BEARD and)
HOWARD LYONS,)
)
 Defendants.)

FILED
JUN 14 2002
CLERK ELKHART CIRCUIT COURT

DEFAULT JUDGMENT AGAINST DEFENDANT MIKE BEARD

This cause having come before the Court on the motion of the Plaintiff, State of Indiana, for a Default Judgment against Defendant Mike Beard, and the Court having found that Defendant Beard has been duly served with a copy of the complaint and summons pursuant to Trial Rule 4 of the Indiana Rules of Civil Procedure, that more than twenty (20) days have passed since the date of service, that Defendant Beard has failed to answer or otherwise defend the Plaintiff's complaint, that Defendant Beard is not in the military service, an infant, or incompetent, and that the Plaintiff's motion for default judgment should be granted,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that judgment is entered for the Plaintiff, State of Indiana, and against Defendant Mike Beard, permanently enjoining the Defendant from promoting a pyramid promotional scheme as defined by Indiana Code § 24-5-0.5-2(a)(8) and (9).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that judgment is entered in favor of the Plaintiff, State of Indiana, and against Defendant Mike Beard, as follows:

1. The Defendant shall pay consumer restitution pursuant to Ind. Code § 24-5-0.5-4(c)(2), to Howard Lyons of Bristol, Indiana, Steve Collins of Bristol, Indiana, Sam Troyer of Bristol, Indiana, Charles Thrasher of Edwardsburg, Michigan, and Jim Pahl of Goshen, Indiana, in the amount of two thousand dollars (\$2,000.00) each, for total consumer restitution in the amount of ten thousand dollars (\$10,000.00);

2. Civil penalties, pursuant to Ind. Code § 24-5-0.5-4(g), in the amount of two thousand five hundred dollars (\$2,500.00) for the Defendant's knowing violations of the Deceptive Consumer Sales Act;

3. Costs pursuant to Ind. Code § 24-5-0.5-4(c)(3), awarding the Office of the Attorney General its reasonable costs incurred in the investigation and prosecution of this action in the amount of seven hundred thirty-five dollars (\$735.00).

For a total monetary judgment in the amount of thirteen thousand, two hundred thirty-five dollars (\$13,235.00).

All of which is ORDERED, ADJUDGED, AND DECREED this 12th day of

July, 2002.



Judge, Elkhart Circuit Court

DISTRIBUTION:

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